

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NEW HAMPSHIRE LOTTERY
COMMISSION,

Plaintiffs,

v.

WILLIAM BARR,
in his official capacity as Attorney General,

UNITED STATES DEPARTMENT OF
JUSTICE,

Defendants.

Civil Action No. 1:19-cv-00163-PB

NEOPOLLARD INTERACTIVE LLC,

POLLARD BANKNOTE LIMITED,

Plaintiffs,

v.

WILLIAM P. BARR,
in his official capacity as Attorney General of
the United States of America,

THE UNITED STATES DEPARTMENT OF
JUSTICE,

THE UNITED STATES OF AMERICA,

Defendants.

Civil Action No. 1:19-cv-00170-SM
(consolidated)

MOTION TO DISMISS

Defendants respectfully move to dismiss these consolidated cases pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). As set out in Defendants' memorandum of law,

these cases should be dismissed for lack of standing. In the alternative, if the Court reaches the merits, Plaintiffs fail to state a claim upon which relief may be granted because Defendants' interpretation of the Wire Act, 18 U.S.C. § 1084, follows from the plain language of the statute.

Dated: March 22, 2019

Respectfully submitted,

BRETT A. SHUMATE
Deputy Assistant Attorney General

JOHN R. TYLER
Assistant Director, Federal Programs Branch

/s/ Steven A. Myers
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Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that, on March 22, 2019, I served the foregoing via ECF electronic transmission in accordance with the Court's Administrative Procedures for ECF to the registered participants as identified on the Notice of Electronic Filing.

Dated: March 22, 2019

/s/ Steven A. Myers

Steven A. Myers